

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-32 are cancelled. Claims 33-63 remain in this application and, are submitted for the Examiner's reconsideration.

In the Office Action, **claims 33-36, 38, 40-46, 51-52, 57, and 59-63** were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis (U.S. Patent No. 6,553,178) in view of Kikinis (U.S. Patent No. 5,929,849) in view of Wilkins (U.S. Patent No. 5,446,919). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Independent claims 33-36 have been amended to more clearly show the differences between the claimed features and the relied on art. No new matter has been added by these changes. Support for these changes is found at, e.g., Fig. 18 and page 55 of the specification.

As amended herein, claim 33 recites:

image input means for inputting an image of an individual to be included in personal data of the individual[.]

(Emphasis added.) Neither the relied on sections of Abecassis, the relied on sections of Kikinis, nor the relied on sections of Wilkins disclose or suggest inputting an image of an individual to be included in personal data of the individual.

Rather, the relied on sections of Abecassis merely describe that video originates at a digital video camera 961. (See also col.34 ll.34-35.) These sections are not concerned with inputting an image of an individual to be included in personal data of the individual.

Neither the relied on sections of Kikinis nor the relied on sections of Wilkins overcome the deficiencies of the relied on

sections of Abecassis.

It follows, for at least these reasons, that neither the relied on sections of Abecassis, the relied on sections of Kikinis, nor the relied on sections of Wilkins, whether taken alone or in combination, disclose or suggest the system set out in claim 33. Claim 33 is therefore patentably distinct and unobvious over the relied on sections of the references.

Independent claims 34-36 each call for features similar to those set out in the above excerpt of claim 33. Each of these claims is therefore patentably distinguishable over the relied on sections of Abecassis, Kikinis, and Wilkins for at least the reasons set out above regarding claim 33.

Claims 38, 40-42, 51-52, and 59-63 depend from claim 33; claims 38, 40-46, 51-52, and 59-63 depend from claim 34; claims 38, 40-42, 51-52, 57, and 59-63 depend from claim 35; and claims 38, 40-46, 51-52, 57, and 59-63 depend from claim 36. Therefore, each of these claims is distinguishable over the relied on art for at least the same reasons as the claim from which it depends.

Moreover, (i) claim 37 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Suh (U.S. Patent No. 5,850,265), (ii) claim 39 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Bryer (U.S. Patent No. 4,780,757), (iii) claims 47 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Yoshida (U.S. Patent No. 5,517,321), (iv) claim 49 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Hashimoto (U.S. Patent No. 4,982,441),

(v) claim 50 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Stephens (U.S. Patent No. 5,707,288), (vi) claim 53 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Sudman (U.S. Patent No. 5,601,436), (vii) claims 54-55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Sudman and further in view of Montague (U.S. Patent No. 5,761, 669), (viii) claim 56 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Miller (U.S. Patent No. 5,920,701), and (ix) claim 58 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Herz (U.S. Patent No. 6,088,722). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claims 37, 39, 50, and 53-55 depend from claim 33, claims 37, 39, 47-50, and 53-55 depend from claim 34, and claims 37, 39, 50, 53-56, and 58 depend from claim 35, claims 37, 39, 47-50, 53-56, and 58 depend from claim 36. Therefore, each of the claims is distinguishable over the relied-on sections of Abecassis, Kikinis, and Wilkins for at least the same reasons.

Neither the relied-on sections of Suh, the relied-on sections of Bryer, the relied-on sections of Yoshida, the relied-on sections of Hashimoto, the relied-on sections of Stephens, the relied-on sections of Sudman, the relied-on sections of Montague, the relied-on sections of Miller, nor the relied-on sections of Herz overcome the deficiencies of the relied-on sections of Abecassis, Kikinis, and Wilkins.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103(a).

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 30, 2010

Respectfully submitted,
Electronic signature: /Lawrence
E. Russ/
Lawrence E. Russ
Registration No.: 35,342
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

1167694_1.DOC